



BUREAU OF SECURITY AND INVESTIGATIVE SERVICES

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BSIS Advisory Committee Meeting Minutes

Meeting Date: Thursday, November 29, 2007

Location: Oakland, California

BSIS Advisory Committee Members in Attendance:

James C. Diaz, California Institute for Professional Investigators (CIPI)
Joe Valenzuela, Captain, Sacramento Police Department
Steve Leibrock, Captain, Sacramento County Sheriff's Office
Cathy Kester, California Department of Justice (DOJ) – Substitute For Tina Medich
Jon Sargent, California Alarm Association (CAA)
Mark Miller, Calif. Assn. of Licensed Security Agencies, Guards & Associates (CAL SAGA)
John Brueggeman, California Locksmith Association (CLA)
Nick Savala, California Association of Licensed Investigators (CALI)
Stephen Marvin, Southern California Security Association (SCSA)
Steven J. Wachtel, Professional Investigators of California (PICA)

BSIS Advisory Committee Members Absent:

Rodney Pierini, Public Member
Jimmy Hunt, California Association of Licensed Repossessors (CALR)
Steve Reed, Public Member

Department of Consumer Affairs, Executive Staff

Patricia Harris, Deputy Director, Bureau Relations
Dana Winterrowd, Staff Counsel Executive Staff

BSIS Staff in Attendance:

Paul M. Johnson, Chief
Rick Fong, Deputy Chief
Rolando Taeza, Outreach Coordinator (Analyst)
Noreene DeKoning, Analyst
Inez Cortez, Analyst
Mitch Kojima, Analyst
Stefanie Melendez, Management Services Technician

Welcoming Remarks and Introductions:

Paul Johnson, Chief of the Bureau of Security and Investigative Services, called the meeting to order at 9:30 a.m. The Pledge of Allegiance was given and roll was called. The Advisory

Committee Members and Bureau Staff introduced themselves. Chief Johnson introduced the Deputy Director of Bureau Relations, Patricia Harris.

Advisory Committee Overview and Discussion:

Chief Johnson gave an overview of the Bureau's recent activities regarding outreach and enforcement operations. The Chief stated that he and the Deputy Chief had attended association meetings across the state for all of the industries regulated by the Bureau. He also informed the Committee of Mr. Taeza's continued outreach efforts. Mr. Taeza visited approximately 950 different licensees from the industries regulated by the Bureau. Chief Johnson informed the Committee of his attendance at the International Association of Security and Investigative Regulators (IASIR) Conference in Columbus, Ohio. He was chosen by IASIR to chair their committee on training standards for security guards. He noted that the California security industry was not widely represented at IASIR. He made the suggestion that the industry may want to become better acquainted with this organization as it has members from many of the states in the United States along with representatives from Canada and the United Kingdom. He challenged the California companies to become more active in this national organization.

Chief Johnson informed the Committee that the new Director of Consumer Affairs, Carrie Lopez, came from the private sector and that she is very interested in consumer protection. She has been very active where unlicensed activity is concerned. The Bureau orchestrated a sting in concert with the California State Contractor's Board and the local District Attorney's Office regarding several industries, including locksmiths. Six arrests were made and citations were issued to locksmiths during this sting. The Woodland Democrat Newspaper and Channel 13 both did interviews regarding the sting.

The Bureau's Budget Change Proposal (BCP) for three (3) new enforcement positions dedicated to the Private Investigative (PI) industry was approved. These new positions will be added to the Bureau's Enforcement staff. These staff members will be concentrating on unlicensed activity in the PI industry. This is a pilot project; BSIS will be assisted by the Department's Division of Investigation (DOI) regarding cases of this nature. The project will be monitored to ascertain its effectiveness regarding the PI industry and unlicensed activity for the next three years. This pilot will help assess future unlicensed activity across all of the industries regulated by the Bureau.

A motion was made to approve the minutes of the last meeting by James Diaz. Stephen Marvin asked that a correction be made to the minutes changing the reference to CIPI to PICA on page two, fourth paragraph. Mr. Diaz made the motion to approve the minutes as corrected; it was seconded by Joe Valenzuela. A vote was called. The results were all in favor. The minutes of the last meeting were approved as corrected.

Chief Johnson brought the committee up-to-date on the success the Bureau has had with the new Law Enforcement Pocket Guide. The new Pocket Guide assists peace officers by enabling them to identify types of licenses that our licensees and registrants must possess when performing their duties. BSIS has received requests from other states for copies of the Law Enforcement Pocket Guide. They would like to use it as a model for their own state. The Chief and Bureau representatives have met with several law enforcement entities throughout the state regarding the Pocket Guide.

Jon Sargent, California Alarm Association (CAA), stated that he had recently experienced a visit by unlicensed persons selling (door to door) burglar alarm systems at his residence. He

informed the police in his area and they informed him that they had no jurisdiction in this matter. Steve Leibrock, Captain, Sacramento County Sheriff's Office, also stated that he had experienced the same thing at his residence.

Chief Johnson brought the Committee up-to-date on the Bureau's continued effort to notify all proprietary private security companies of the requirement to register their security personnel. Many of these businesses do not have registered guards, either PSO or regular security guards. With the passage of AB-666 the Bureau is mandated to form an Advisory Committee that will be made up of members from the industry, Commission on Peace Officers Standards and Training (POST), and law enforcement representatives to formulate a training syllabus for the PSOs. The Bureau has found that many of the proprietary security companies are opting to have their security personnel register as security guards instead of PSOs.

Committee Member Updates

Nick Savala, California Association of Licensed Investigators (CALI), stated that the PI industry is interested in introducing legislation which would require PI employees to be registered by the Bureau. Presently, PI employees have identification cards issued by their employers; these are not mentioned in the new Law Enforcement Guide. Is it possible to add this information in the Guide?

At this time, the Guide is hard to download from the Bureau's web site. Is it possible to make the process easier and the printout cleared? Inez Cortez is currently working with DCA's Publication Unit to make these changes in the system.

Jon Sargent, California Alarm Association (CAA), distributed handouts from the CAA. These were regarding false alarm issues. Many cities and counties in California have local ordinances that penalize the property owner for false alarms. The CAA's main concern is that some cities are considering enacting a "no response" ordinance in their laws. This could be very detrimental to the alarm industry. The CAA is actively working with government agencies to convince them that there are other ways to control the excessive false alarm problem.

Cathy Kester, California Department of Justice (DOJ) gave a brief report on DOJ and applicant fingerprint background checks. She stated that DOJ currently performs approximately 63,000 applicant background checks for the Bureau. The Bureau represents approximately 4 % of the total applicant background checks done by DOJ. Approximately 70% of the Bureaus applicants have no criminal background. Of the applicants that do have a criminal history, about one third may result in DOJ notifying the Bureau that there is a delay. A delay is usually caused by the DOJ not having complete information as to the disposition of the conviction or arrest. It can also be caused by the inputting of incorrect information by the Live Scan operator. Applicants can now access information from the Attorney General's Web site "www.ag.ca.gov" to determine the status of their background check or they can call the DOJ at (916) 227-4557 to receive that information.

The FBI has never provided DOJ with subsequent arrests. They are looking at a program that will allow them to provide DOJ and ultimately the Bureau with this information. This is about one to two years away.

Stephen Marvin, Southern California Security Association (SCSA), reported to the committee that the SCSA now has a link on its web site to the Bureau's web site to assist their members in accessing information from the Bureau. He stated that his association is also very interested in

the excessive false alarm problems and they have been diligently working with the governmental agencies in their areas to alleviate problems. He feels that outreach from their industry to law enforcement agencies is of utmost importance.

John Brueggeman, California Locksmith Association (CLA), lauded the Bureau's efforts regarding unlicensed activity. He and the CLA have been working with the Bureau and with Assembly Member Ma of San Francisco to write legislation that will be helpful in curbing this ongoing problem. He relayed to the Committee several problems that need to be addressed regarding unlicensed activity in the locksmith industry.

Joe Valenzuela, Captain, Sacramento Police Department, spoke regarding the police departments interaction with the Bureau and the development of the Bureau's law enforcement handout regarding its licensees and registrants.

James C. Diaz, California Institute for Professional Investigators (CIPI), was encouraged to hear that both CALI and CIPI are interested in seeing changes made to the Private Investigator's Act with respect to the continued education requirements. He stated that he would like to see a change made that would require PI employees to be registered by the state.

Steve Leibrock, Captain, Sacramento County Sheriff's Office, stated that they continue to support the required training for security guards. The Sacramento Sheriff's Department is currently in charge of the security at Folsom Dam.

Mark Miller, President of the California Association of Licensed Security Agencies, Guards & Associates (CALSAGA), thanked the Bureau for its participation at the CALSAGA's Winter Conference that was held in November in Sacramento. He also reviewed the Senate Bills, SB-194 and SB-666, that were proposed by CALSAGA and authored by Senator Maldonado regarding the registration of proprietary private security officers. He noted that the Governor passed the bill but the Governor's message stated that he would like to see some enforcement abilities added to the bill. He also stated that CALSAGA would like to see the security industry create different classification levels for security guards. The guards with more training would be on a different level. This would give security guards a better career path, with better pay and benefits. It would take the guard industry to a more secure level where security guards would be more willing to stay in the industry and make it a career. CALSAGA is also looking at new laws that would address reciprocity issues with other states, especially during emergency situations.

Steven J. Wachtel, Professional Investigators of California (PICA), has concerns about the private investigator qualified manager being in control of more than one company. PICA would like to see more regulation regarding the qualified managers in regard to their qualifying experience.

Nick Savala, California Association of Licensed Investigators (CALI), noted the problems that his industry members are having concerning the laws that regulate meal provisions and breaks for employees. He stated that CALI is also working with the legislature regarding privacy laws and the PI's use of pretexting. Pretexting is a tool that has been used by private investigators since their industry began and is a very necessary tool in the performance of their trade. He stated that CALI will be working to keep this a tool that PI can use.

Public Comments:

Daniel Landry, asked to speak regarding an incident that involved his son and Personal Protective Services (PPS). Chief Johnson informed him that his concerns were outside of the purview of the advisory committee and should be sent to the Bureau for review. A Bureau staff member accepted his information and will deliver it to the Bureau's Enforcement Unit for investigation.

Mr. Rick Simas spoke regarding Assembly Bill AB-2880. He wanted to know who (guard or employer) is responsible for seeing that guards under the employ of a PPO have completed the required Continued Education training. Chief Johnson responded, "that guards are required to give a copy of their certificate of completion for their Continued Education Training to their employer." The employer (PPO) must keep a copy of the certificate in the guard's employee file. The Bureau conducts audits of the PPO's employee files to make sure that their guards are in compliance. Chief Johnson told the Committee that the Bureau does not have authority to require security guards to send the Bureau copies of their certificate of completion for the Continued Education course.

Chief Johnson thanked the committee members for volunteering their services as members of the Committee. He informed the committee members and public that the next advisory meeting will be held in February or March of 2008

Joe Valenzuela made the motion to adjourn the meeting, Jon Sargent seconded the motion. The meeting was adjourned at 12:30 p.m.